## THE BANKRUPT ACT.

AN ACT to establish a uniform system of Bunkruptey throughput the United States.

Ball mariel by the Sensite and House of Representations of the United States of America, an Congress assembled. That there he mid do by its, established throughout the United States a uniform system of handrupter, as follows: All persons whatsasever, residing in any State. District, or Territory of the United States, owing debts, which shall not have been created in consequence of a stellaction as a public editor, or Territory of the United States, owing debts, which shall my have been created in consequence of a stellaction; as a public editor, or as executor, administrator, granitian or traviter, or which acting in any other dataciny capacity, who shall, by petition, setting forth, to the heat of his hardwards and helief, a list of his or their creditors, their respective planes of readdrice, and the second due to each, to getter without a creating an account of the continuous and situation of ordinary over percel and portion thereof, varified by eath, etc. If concentrations ye created not portion thereof, varified by could, etc. If concentrations yeary to the propose court, as hear-instant members, which as a committee the male to meet their seleta and suggestments, that he account of the set, and therein doclars themselves to be mable to meet their seleta and suggestments, that he devamed hankingts within the jurview of this act, and may be so declared accordingly, by a decree of such court. All persons, being merchanits, or using the trials of merchandies, all retailers of occentending, and all leakers, farters, brokers, andstraviters, or assirine insurers, owing debts to the amount of not lose than two thousand infinis, shall be inside to be be made to the conditions of the farter of the land, when they occarried in the whole to not less than 2018, to the apprentiate court, he so declared accordingly, in the following cases, to with whenever such person, being a retail of merchandise, or the propose accordingly, in the follo AN ACT to establish a uniform system of Bankrupter through

and all senh decrees passed by such scort, and not so re-examined, shall be deemed final and conclusive as to the subject matter thereof.

Sind be is further exacted. That all future payments, escurities, conveyances, or transfers of property, or agreements made or given by any hankrupt in contemplation of hankruptey, and for the purpose of giving any creditor, endorser, surely, or either person may preference or priority ever the general creditors of such hankrupt as all other payments, securities, conveyances, or transfers of property, or agreements made or given by such hankrup in contemplation of bankruptey, to any person or persons whatever, not hong home detected to or purchaser for a valuable consideration, without notice, shall be deemed utterly vaid, and a frond upon this act; and the assignee under the bankruptey shall be entitled to claim, see for, tocover, and tective the nature as part of the assets of the bankruptey; and the receive the discharge under the previsions of this act. Previded, That all dealings and transactions by and with any hankrupt, hous field made and extered into mere then two mentities before the potation filed against him, or by him, shall not be invalidated or influed by this act. Frontieds, That the other party to any such dealings are transactions had no notice of a prior not of heak-rupte, his application being voluntary, has subsequent to the first day of January last, or at any other time, in contumplation of this set. And in case it shall be made to appear to the court, in the course of the proceedings of hunkruptey, that the bankrupt, his application being voluntary, has subsequent to the first day of January last, or at any other time, in contumplation of the passegue of a hankrupt law, by assignments or otherwise, given or secured any preference to one creditor over another, he shall not receive a discharge unless the same be assented to by a majority in interest of those of his creditors who have not been experienced. And or previous, dies, That nothing in this are

for secondaria with the provisions of the second and fifth secform of this net.

Size, 3. And he is farther emeted, That all the property and
rights of property, of every name and nature, and whether real,
personal, or mixed, of every bankrupt, except as heremafter proried, who shall by a decree of the proper court, be declared to
be a bankrupt within this set, shall, by mere operation of law,
ipo facto, from the time of such decree, be decorade to be divorel out of such bankrupt, without any other set, assignment, or
other convayance whatoever, and the same shall be verted, by
force of the same decree, in such assignee as from time to time
shall be appointment by the proper court for this purpose; which
pewer of oppointment and removal such court may exercise at
its discretion, to time, quoties; and the assignee as appointed
shall be seted with all the rights, titles, powers, and authorities to sell, manages, and dispose of the same, and to sue for and
defined the same, subject to the orders and directions of such
court, as fully to all intents and purposes, as if the same were
realed in, or might he exercised by, such bankrupt before, or at
the time of his bankruptey declared as aforesaid; and all suits
in law or capity, then pending, in which such bankrupt is party, may be prosecuted and defended by such assignee to its
in law or capity, then because any, and with the same effect, as
they might have been by such bankrupt; and no suit commenced
from office, but the same may be presecuted or defended by
his approach on the same way, and with the same effect, as
they might have been by such bankrupt; and no suit commenced
from office, but the same may be presecuted or defended by
his approach of the same may be presecuted or defended by
his approach in the same way, and with the same effect, as
they might have been by such bankrupt; and no suit commenced
of one approach of the second of the provisions of this
section the mocessary household and kitchen furniture, and such
other activities and necessar s of this not. see, 3. And he is further exacted, Thut all the property and see, 3. And he is further exacted, Thut all the property and

court, and shall otherwise conform to all the other requisitions of this act, shall (unless a majority in number and value of his creditors, who have proved their debts, shall file their written dissent thereto be extiled to a full discharge from all his debts, to be decreed and allowed by the court which has declared him a bankrupt, and a certificate thereof granted to him by such court accordingly, upon his petition filed for such purposes; such discharge and certificate not, however, to be granted until after mixty days from the decree of bankupity, nor until after syanty days' notice in some public purposes; seventy days' notice in some public newspaper, designated beach court, to all creditors who have proved their dobts, on other persons in interest, to appear at a particular time an place, to show cause why such discharge and certificate shound be granted; at which time and place any such creditors, other persons in interest, may appear and coutest the right other bankrups therefor, Practical, That in all cases where the place of the results of the resolution of the resolution. other persons in interest, may appear and contest the right of the bankung therefor Personal. That is all cases where the residence of the creditor is known, a service on him personally, or by letter addressed to him at his known ascal place of real dence, shall be prescribed by the court, as it, their discretion shall seem proper, having regard to the distance at which the reditor readies from such court. And if any such bankungh shall be guilty of any frand or willful concealment of his property or right of property, or shall have preferred any of his creditor readies from such court, and if any such bankungh shall be guilty of any frand or willful concealment of his property or right of property, or shall have preferred any of his creditors contrary to the provisions of this act, or shall withfully omit or reads to comply with any orders or directions of each court, or the conform to any other requisites of this act, or shall, in the proceedings under this act, admit a false or fetalities do such court, or the conform to any other requisites of this act, or shall, in the proceedings under this act, admit a false or fetalities dold against an swatze, he shall not be entitled to any such discharge or certificate; nor shall any person, being a merchant, hanker, factor, broker, underwriter, or marine insurer, be entitled to any such discharge or certificate, who shall become a bankungt, and who shall not have kept proper books of account, after the passage of this act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply trust funds to his own use; Persodes, This act, shall apply t for, on oath, or if conscientiously scrappilous of taking an oath, upon his solema affirmation, in all matters relating to such bank-roptcy, and his acts and doings, and his property and rights of property, which in the judiment of such court, are necessary and proper for the purposes of justices; and if in any such examination he shall whichly and corruptly answer, or swear or affirm falsely, he shall be deemed guilty of perjury, and shall be punishable therefor in like manner as the crime of perjury is now punishable by the laws of the U. S.; and such discharge and certificate, when duly granted, shall, in sil courts of justice, he desmed a full and complete discharge of all debts, contracts, and other engagements of such bankrupt, which are proveable under this act, and shall be and may be pleaded as a full and complete bur to all suits brought in any court of judicature whatever, and the same shall be undersive evidence of itself in favor of such bankrupt, unless the same shall be impeached for some fraud or wifed concealment by him of his property, or rights of property, as aforesaid, contrary to the provisions of this act, on prior reasonable notice specifying is writing such frawd or concealment; and if in any case of bankruptcy, a majority, in number and value, of the creditors, who offeld bankrupt for discharge as hisrain before provided, shall at such hearing file their written discont to the allowance of a discharge and certificate to such bankrupt, or if, upon such hearing, a discharge shall not be decread to him, the bankrupt may demand a trial by jury upon a proper issue to be directed by the court, at such time and place and is such hearing. The appears are to be such bankrupt, or by a jury, at the option of a bankrupt, and the creditors may appear and object against a decree of discharge and exit hear and object against a decree of discharge and exit hear and object against a decree of discharge and the allowance of the criticate, as hereinhefor a provided. And if, upon a full hearing of the par

proof of debte, and perform other duties, under the provisions of this act, the said court shall appoint such persons as have their residence in the county in which the bankrup fives.

Sec. 6. And be if further exected. That the district court is every district shall have jurisdiction in all matters and proceedings in bankruptcy arising under this act and any other act whice may hereafter in passed on the subject of bankruptcy; the said proteedings in bankruptcy arising under this act and any other act which in the proceedings in equity; and for this ruppes the said district court shall be deemed always open. And the district judg may adjust any joint, or question arising in any case in bankruptcy that the court for the district, in his discretion, to be the court of such district shall also be deemed always open. And the jurisdiction thereby conformed in the district court shall occur of such district shall also be deemed always open. And the jurisdiction thereby conformed on the district court shall octed to such district shall also be deemed always open. And the jurisdiction thereby conformed on the district court shall octed to such district shall also be deemed always open. And the said cases and conformers is the bankrupt and any craditor or creditors, who shall claim and each or deemed under the bankrupt say if cases and continues the said cases and continues is between such creditors are creditors and the assignee the eatar whether in office or remarded to all eases and continues between such assignee and the bankrupt, and to all actual courts between such assignee and the bankrupt, and to all actual courts between such assignees and the bankrupt, and to all actual courts between such assignees and the bankrupt, and to all actual courts are desired as a such And the said courts shall have full authority and jurisdiction to compol obodiemes to all orders and decrees passed by them it compol obodiemes to all orders and decrees passed by them it businspace, by process of contompt, and other remedial prodess to the same extent the circuit courts may now do in any any pending therein in each district, from time to time, to prescribe suits be rules and regulations and forms of proceedings in all matters of inalkraptice; which rules, regulations, and forms shall be subject to be altered, added to, revised or annualled, by the circuit court of the same district, and other rules, and regulations, and forms substituted therefor, and in all such rules, regulations and forms; it shall be the duty of the said courts to make them as simple and being as practicable, to the end to avoid all tume causary expanses, and to facilitate the use thereof by the public at large. And the said courts shall from time to time, presenting the sufficient of the court or other parsons for services under this act, or any other on the subject of bankruptey; which first shall be as low the reviews.

other on the subject of benkrupter, which fees shall be as low as practicable, with reference to the nature and charactsr of stell services.

The first stand he is further cracted. That all putitions by any bankrupt for the benefit of this set, and all putitions by any bankrupt for the benefit of this set, and all putitions by a creditor against any bankrupt under this act, and all proceedings in the case to the close thereof, shall be fined in the district count within and for the district in which the person supposed to be a bankrupt shall reading, or have his place of basiness at the time when such patition, outlet thereof shall be published in one or mere public newspapers printed in such district, to be daugnated by such court, at least twenty days before the hearing thereof; and all persons interested may appear at the time and place where the hearing is thus twenty days before the hearing thereof; and all persons interested may appear at the time and place where the hearing is thus to be had, and show cause, if any they hars, why the prayer of the shall petitioner should not be granted; all evidence by witnesses to be used in all hearings before such court shall be under outh, or solven offirmation when the party is conscientiously scrupalous of raking an oath, and may be erail or by deposition. Laken before such court, or before any commissioner appointed by such court, or before any deminerated fitted undy of the State in which the deposition is taken; and all proof of debts or other claims, by creditors entitled to prove the zine by this act, shall be under outh, or before such court of the such court of the proper central such and any service of the validation of the distriction in bankruptey. But all such proofs of debts on their formation over the proceedings, in the particular case in bankruptey. But all such proofs of debts and other claims, and the result therein, unless a new trial shall be granted, if in favor of the claims, shall be evidence of the validity and amount of such debts or other c

Cases. Sad be it further enseted. That the circuit coun within and for the district where the decree of bankruptuy i passed, shall have concurrent introduction with the district coun of the same district of all suits at law and in equity which in any lesson or persons claiming an adverse interest, on by any person against such assignee, touching any property, or rights or property, of said bankrupt transferable to, or wested in, such a signee; and no suit at law or in equity shall, in any case, by maintainable by or against such assignee, or by or against

degree of bankingtey, or after the cuose of suit shall first have accused.

Sec. 9. And be a further smarted, That all sales, transfers and other conveyances of the assignee, of the bankings's property, and rights of property, shall be made at such times and its such manner as shall be ordered and appointed by the sourt is bankingtey; and all assets received by the assignee in money shall, within axive days afterwards, be paid into the court, subject to its order, respecting its future safe-keeping and disposition; and the court may require of such assigness a bond, with at least two stretches, in such sum as it may deem proper, conditioned for the dux and faithful discharge of all his duties, and its compliance with the orders and directions of the centry, which bend shall be taken in the name of the United States, and shall if there he may breach thereof, be used and subble, make the order of such court, for the benefit of the creditors and other persons in interest.

bond small be taken in the name of the United States, and shell, if there he may breach thereof, he said and subble, under the order of such court, for the benefit of the creditors and ether persons in interest.

Sec. 19. And he it further enacted. That in order to ensure a speedy settlement and close of the proceedings in each case in hankruptcy, it shall be the duty of the court to order and direct a collection of the assets, and a reduction of the same to money, and a distribution thereof, at as early periods as practicable consistently with a due regard to the interests of the creditors and a dividend and distribution of such assets as shall be collected and reduced to money, or so much thereof as can be safely so disposed of, consistently with the rights and interests of third persons having adverse claims thereto, shall be made among the creditors who have proved their delta, as often as conce in six months from the time of the decree declaring the bankruptsy; notice of such dividends and distribution to be given in some newspapers or newspapers in the distribution to be given in some newspapers at least before the order therefor is passed; and the pendency of any said at law or in equity, by or against such third-persons, shall not passpones such divisions and distribution, except so far as the assets may be necessary to satisfy the same; and all the proceedings in bankruptcy in each case shall, if practicable, be family adjusted, settled, and be brought to a close, by the court, within two years after the decree declaring the makruptcy. And where any creditor shall not have proved his delta until a dividend or distribution shall have been made not declared, he shall be catalled to be paid the same amount provata, out of the remaining dividends or distributions. Because of the same amount provata, out of the remaining dividends or distributions before the latter shall be entitled to any portion thereof.

Sec. 11. And is at farther consected. That the assignee shall have full authority, by and under the o

shall have been discharged under this not, shall ill may person we come bankrupt, he shall not again be entitled to a discharge under this act, unless his estate shall produce (after all charges unfleinat to pay every creditor seventy five per cent. on amount of the debt which shall have been allowed to each cre

der this act, unless his estate shall produce tafter all charges, sofficiant to pay every ereditor seventy-five per cent, on the amount of the debt which shall have been allowed to each creditor.

Sic. 13. And he it farther esacted, That the proceedings in all classes in bankruptcy shall be deemed matters of record; but the same shall not be required to be recorded at large, but shall be carefully filed, kept, and unubered in the office of the court, and a docket only, or short memorandum thereof, with the numbers kept in a book, by the clork of the court; and the clork to fact the court for affixing hie name and the scal of the court to any form, or certifying a copy thereof, when required thereto, shall be entitled to receive, as compensation, the sum of twenty-five cents, and no more. And no officer of the court, or commissioner, shall be allowed by the court more than one dollar for taking the proof of any debt or other claim of any creditor or other person against the estate of the lankrup; but he may be allowed, in addition, his actual travel expenses for that purpose.

Sign. 14. And be it farther exacted, That where two or more pursons, who are partners in trade, become insolvent, an order may be made in the manner provided in this act, either on the petition of such partners, or any one of them, or on the petition of such partners, or any one of them, or on the petition of such partners, or any one of them, or on the petition of such partners, or any one of them, or on the petition of such partners, aball to taken, excepting such positive for the company, and the separate exists of the partners, aball to taken, excepting such pasts thereof as are herein excepted; and all the reditors of the company, and the separate reditors of cach partner, shall be allowed to prove their expective debts; and the assignment spate of the company, and the separate exists of such partners, shall be appropriate to pay his separate exists of such partners and laberated of each partner, and also kep asparate state of such pa

stone.

Size. 15. And be it further enacted. That a copy of any docree of bankruptcy, and the appointment of assigness, as directed by the third section of this act, shall be recited in every deed of insels, belonging to the bankrupt, sold and conveyed by any assignees under and by virtue of this act; and that such recital, tegether with a certified copy of such order, shall be full and complete evidence both of the bankruptcy and assignment there in recited, and superceeds the necessity of any other proof of such bankruptcy and assignment to validate the said deed; and all deeds containing such recital, and supported by such proof, shall be as effectual to pass the title of the bankrupt of, in, and to the lands therein mentioned and described to the purchaser. o the lands therein mentioned and described to the purchaser, a fully, to all intents and purposes, as if made by such bankropinismal (unmediately before such order.

Sec. 10. And to it further conted. That all jurisdiction, pow-

Sac. 10. And be affective constact, That all jurisdiction, power and anthority conferred upon and vested in the district court of the United States by this act, in cases in hunkrapicty, are hereby conferred upon and vested in the circuit court of the U. S. for the District of Columbia, and in and upon the sugreeue or superior courts of any of the territories of the United States, in cases in bankrupter, where the bankrupt resides in the said District of Columbia, or in either of the said Territories.

Sec. 17. And be at further exacted, That this act shall take effect from and after the first day of February awx.

Speaker of the House of Representatives.

SAM'L. L. SOUTHARD,

President of the Scale was tempere.

Approved, August 19, 1841. President of the Scante pro tempere
Approved, August 19, 1841. APPOINTMENTS BY THE PRESIDENT.

Washington Inving, of New York, Envoy Extraordinary and Minister Plenipotentiary to WADDY THOMPSON, of South Carolina, Envoy Extraordinary and Minister Plenipotentiary

WM. BLACKFORD, of Virginia, to be Charge d'-Affaires to New Granada.

Wm. H. Fareman, of Philadelphia, to be Consul of the United States for the port of Neuvitas, in the Island of Cuba, in the place of Mr. John Baker, deceased.

PROTECTION TO AGRICULTURE, COMMERCE AND MANUFACTURES.

NATIONAL CONVENTION. At a meeting of the Central Committee of the

Home League, held at the American Institute in the city of New York on the 19th of January, 1842, the following preamble and resolutions were unanimously adopted : Whereas, it is universally conceded that a read-justment of the tariff should be made before next

July, and whereas, the efforts of those opposed to any discrimination in favor of American industry have hitherto been success'ul in preventing any proper inquiry by a Committee of Congress for the purpose of laying before that body authentic information as to the effect of such duties upon domestic industry and the interests of the coun-Therefore be it Resolved, That the friends of A-

merican industry, and reciprocal commerce, and the supporters of Home interests be requested to meet in National Convention in the city of New York, on Tuesday, the 5th of April next, at 11 o'clock, A. M. to furnish information and devise measures which shall tend to protect existing interests, and to secure in future the labor and en-terprise of the country from the rumous effects of novel and bazardous experiments at home, and hostile legislation abroad.

Resolved, That the respective hanches of the Home League in the several States, eigether with all agricultural, mechanical, communications, com mercial, and internal improvement association throughout the country, be requested to collect and transmit through their delegates to the Convention, all such authentic information as shall if lustrate the necessity of promoting and sustaining

American interests Per order and in behalf of the Central Commit-

JOSEPH BLUNE. ADDINGRAM CHANDLER, C. C. HAVEN. Jons Thavers, L. D. CHAPIN, Was G. LAMBERT.

CHARLES S. MORGAN Publishers throughout the United States het arable to the object, are requested to copy or not re this call.

The Santa Fe Texan Prisoners.-The New Or leans papers, received this morning, publish late news from Mexico, with further advices from the Texan Santa Fe Expedition. A long account of their capture is given in the Boe, which confirms our previous advices that they were induced to surrender to the Mexican troops from the lalse promises made to them of being well treated, and sent back to Texas, and through the bothless representation of Captain Lewis, who obtained his own liberty, and the privilege of importing goods free of duty into New Mexico, as a reward for his A band of 90, it is stated on the an thority of a cendeman just from Mexico, had rea ched that city in a wretched condition, laying been matched barefoot and almost naked from the place of their capture.

Among them was the son of General Coombs of Keatucky. So far from being well treated, they were chained in pairs, and compelled to work in the streets as common felms. The resident Ministers of foreign countries had interfered to prowas very III, his constitution proving too frail to endure the cruelies to which he had been subjected. He had been demanded by Mr. Eliis, our Minister to Mexico, as a citizen of the United States, but a week had elapsed without any co ply having been received to the demand. impression was that nothing but force would muc horate the combion of the prisoners, and that all would be treated alike.

Since the above was written we have received the New Orleans Picayone of the 2d, which contains a letter from Geo. W. Kendall, dated Chihanban, Nov. 27, in which he speaks of himself as in good health and spirits, in company with two hundred other prisoners, to reach Mexico early in February. He makes no allusicate or cru-el treatment, but on the contrary states that the Governor and people of the place are attentive and obliging. It may be, as suggested in a N. Orleans paper, that the letter was written in the expectation of its being intercepted by the Mexicans. N. Y. American.

Right of Search .- We learn that the ship Henry, at this port from Vera Cruz, while at this port, was visited by an officer from an English vessel of war, who claimed several of the crew of the Henry as being British sailors. We further learn hat the said searching officer was lowered against his will into his boat, and suffered to deport.

Virginia .-- A Locofoco State Convention was held last week at Richmond, Va. The address proposes that the Resumption of Specie Payments by the Banks of that State be postponed to near the next Legislature-in December,

Allempfed Insurrection in Ponce, P. R .- Capt. Pierce, of schr Pearl, arrived at this port on Sat urday last from Ponce, P. R. informs as that the negroes of that Island contemp ated a revolt which was to have taken place on Cristmas tright.

The intention of the insurrectionists was discovered previous to that night, and a number of them arrested. They have been tried and three were shot, and several received two hundred lashes and were sent to the clain galleys for lite on the day previous to the departure of Capt. Pierce. Norfolk Beacon.

A large meeting was held in Rochester on the 8th, at which resolutions declaratory of the right of perition and in approval of the course of John Quincy Adams in upholding it were passed.

CO JAMES N. BARRER, First Compareller of the Treasury of the United States under Gen. Jackson and Mr. Van Buren, superseded by Gen. Harmotion of Mr. Forward from that post to the S-c-retaryship, was rejected by the S-conte on Friday, by a party vote, 23 to 17. A good deal of feeling has been excited by this rejection, and an impres-sion is abroad that it was intended as a littat President Tyler. We cannot so consider it. Major Barker is good officer, and has corned and enjoyed a generous satary for several years. He would have carned a still it personned. But the Somate doubtless considered that as he came in through his party, he might as well go out south at and that white three-mourns of the offices of the Government are in the hands of that party which has menopolized them for two ve years, it is as the Whig ranks. While, therefore, we regret profoundly that a state of things existed to justify this rejection, we cannot consider it unpostifiable.

Startling as we'l as Strange. - Virginia is divided by the Blue Ridge into two distinct sections, one occupied with planters with their slaves, and the other mostly by an intelligent white farming population. A Washington correspondent says a-mong the wonders of the day at Washington is the novel and extraordinary phenomenon presen-ted in the notice of a petition from Virginia for the abolition of slavery in the District of Columbia! It is signed by ninely-three men in Lewis county, which is the northern part of the interior of the state—a free-laboring, grain growing district, which has been much filled up lately with the stordy Northern farmers who have been emigrating thither from Pennsylvania. A significant portent, and notable sign of the times!-Philadel-

Elopement. Emily Croghan, aged 14, niece of Col. Croghan of the U. S. army, and beiress to half a million dollars, privately married and eloped with Capt. Shinley of the British army, whose age is variously estimated from 49 to 70, on the 2d inst. The parties have sailed for England.

Newspaper Advertising.—The London New Monthly Magazine says, "the power of the Journalist is immense. Experience enables us to as-sert confidentialy, that twenty thousand addresses, printed separately, and circulated with the utmost diligence, would not produce the good effect of one advertisement."

WATCHMAN & STATE JOURNAL.

MONDAY, FEBRUARY 21, 1842.

THE CENSURERS DEFEATED.

Most heartily glad are we to say that the right of petition has achieved one more triumph : John Quincy Adams is not consured for presenting a petition. See Manday's proceedings, from which it will be found that the resolutions of censure were laid on the table, never again to be taken up. Ayes 106; 100 Whigs and 6 locofocos. Noes 93; viz. Locos 74, Whigs 16, abstractionists 3. This vote is another demonstration that the mass of the Whig party is true to the right of petition. The petition itself was rejected, many voting for its rejection on the ground that a motion to receive would render them liable to the charge of disloyalty to the Union. This refusal to censure for presenting a petition is so far a great triumph; but we have to regret that the right of petition was not fully acknowledged in the reception and reference of the petition itself. Mr. Adams' motion to receive, refer the petition and report the reasons of the House against granting the prayer thereof, it strikes us was the right course. We would have it received and referred, because we believe the petitioners have a right to demand that; and we would have a report on the whole subject, clearly exhibiting to the North and the South the limits imposed by the Constitution on the action of Congress upon slavery-because we believe the uttenists, on both sides of the question, are in the wrong. Per contra. The locofoco legislature of Ohio

has passed a resolution censuring John Quincy

## HERE YOU HAVE IT.

Southern Nutlifiers and Northern Locofocos united against Protection. On the 10th, in the House, a resolution offered by Mr. Salstonstall, providing for information "on the subject of the present Tariff Laws, their operation upon the interests of the country, and the alterations which these interests require"- was laid on the table. Ayes 108, composed of Northern and Southern locofocos, and a few anti-tariff Southern Whigs. Noes 79, composed of all the Northern and a part of the Southern Whigs. O people, remember your en-

P. S. On a subsequent day, by the same unhely combination of Northern locofoco dough-fares with Southern miti-tariff men, a resolution to permit the committee on Manufactures to have a clerk, for the purpose of gathering information on this subject, was refused. They refuse light and knowledge! Again, we say, LET THE PEOPLE REMEMBER THEIR ENEMIES.

THE BANKRUPT LAW Is re-published to-day, for the benefit of law-

vers and others interested.

## PUBLICATIONS IN BANKRUPTCY

Are to made in some news paper in the county where the principal part of the creditors reside; or if no newspaper is published in such County, then in a paper of an ajoining County having the greatest circulation in the county where the crednors principally reside; and the following papers in Vermont have been designated to publish notices in Bankruptev, viz:

State Banner Bennington. Vt. Phenix, Brattleboro'. Vt. Mercury, Woodstock, Rutland Herald, Rutland. Middlebury People's Press, Middlebury. Free Press, Burlington. Vt. Watchman & State Journal, Montpel'r North Star, Danville, Vt. Republican, St. Albans Lamoille Whig, Johnson. By the way: The Patriot complains of Judge

Paine that the selection of newspapers was not left to the petitioners! A strange proceeding indeed would it be, to permit the petitioner, who would be interested to select a paper which might never reach his creditors, to do this. For wise purposes the law compels the court to designate the newspapers, and we take it the court could not do, even if it wished to do, so foolish a thing as to transfer this duty to the petitioners. The editor of the Patriot is too much of a lawyer to fail to see that the court was bound to designate some papers. We grant that the Patriot has a right to feel sore, because we are designated; and so we find, have the Whit presses in Caledonia and Franklin counties an equal right to object to the selection of their locationo neighbors. In this matter we have no doubt the Court intended to do right. At any rate the Patriot is assured that we never interfered with the venerable judge, even so far as to beg in our own behalf for the chance of getting perhaps five dollars worth of advertising. It is our firm belief that we should neither shed tears not abuse the judge, should he even now substitute the Patriot for the Watchman in this small matter.

Another Temperance House in Montpelier. Under he head of temperance, in another column, will be found satisfactory evidence of the progress of temperance in this vicinity. One has been added to the list of temperance stores, and one more Temperance Tavern - the Union House, kept by Maj Kelsey - is to be found in our village. The Temperance House," under Mrs. Safford, deserves, and we believe has received a good support from the public; and we now commend Maj. Kelsey to the favor of temperance men, trusting the result will prove that both of our temperance houses can be liberally supported. We have no doubt such will be the result, if temperance travellers, and visitors to our village on business, act up to the line which consistency requires.

13-The conclusion of Henry Clay's speech on the Veto power will be found on our first page. In our next we shall commence publishing Mr. Slade's speech on the Tariff, and we bespeak for it the attention of every man interested - and who is not?-in the subject. Through that speech, the fathers of the Republic, though dead, yet

Blackguardism in the Senate. Bully Benton interrupts Senator Talmadge with the lie direct. If Mr. Talmadge had retorted that Benton was a thief, there would have been a pair of blackguards. We are glad to say that Mr. T. did not so far forget the dignity of his station and the decorum of the Senate. Benton stood alone in this disgrace. See Congressional proceedings.

Mississippi. The anti-bond payers have nomi-nated Martin Van Buren for President, and Rich-ard M. Johnson for Vice President. The people have once protested that sort of paper.

Brighton Market, Feb. 14 .- At market 390 beet cattle, 250 sheep. Prices—beef, few choice 6; first quality, 5,50 to 5,75; second, 4,75 to 5,25; third, 3,75 to 4,50. Sheep, all stall fed; sales at \$3.

IN BANKRUPTCY-DISTRICT OF VER-MONT.

Notices to show cause against the peritions of the following persons to be declared bankrupts, have been published, and the hearing thereon is to be had at the Court House in this (Montpelier) village, on the 22d March, 1842, at 12 M.

Quartus Torrey, of Benson, formerly merchant

ow farmer. Thaddees B. Pratt, of Rutland, formerly baker ow keeper of victualling cellar. Caleb B. Hall, of Clarendon, late merchant and ow inn-keeper. Frederick N. Pratt, of Rutland, baker.

Willard Humphrey, of Rutland, blacksmith and artble sawyer. Moses P. Humphrey, of Rutland, manufacturer

[We shall in the above manner notice all petions in bankruptcy in this state, for the benefit of ereditors.]

Net Loss and Gain of each county on a new istribution of the Surplus Fund, deposited in the

veral towns in vermon	Gain.
hittenden county,	\$1,348 57
ranklin,	6,216 86
aledonia,	2,674 33
Deaus,	5,277 85
ssex,	451 00
band Isle,	79 13
Vashington,	5,652 98
amoille,	2,497 ±4
	\$24,198 56

Windham. 85,751 77 Windsor, 4,450 95 1,234 85 3,012 66 4:323-19 5,424 25 824,197 67

Amount not divided, Fractional lasses 40 £24,198 56
Every town which has sustained a loss has been notified to make payment on or before the 20th of March next. Immediately after the money is received by the Treasurer, he will give notice to each town of the amount of their gain and furnish them with a receipt to be signed by their Trustees, which wid entitle them to payment.

JOHN SPALDING, Treasurer. Treasurer's Office, Montpelier, Feb. 10, 1842.

Mr. Botts has published his evidence to convict Secretary Upshur of disloyaby to the Union. His proofs are, letters of two Virginian gentlemen, as to sentiments uttered by Mr. U. in conversation, and extracts rom writings attributed to Mr. U .altogether making out a pretty strong case. On the other hand, Mr. Upshur appeals to the public to waive their decision until he shall have been heard in reply. The controversy promises to be inpretty long, and although deeply interesting to the parties and their (riends, is hardly enough so in this corner of the republic to warrant republica-

The Patriot is exceelingly charitable to the --- factious locof-cos in Congress, and affects not to see how we dare judge of their motives .-We judge them by their acts: The Whigs were serious'y divided on the bankropt bill, some thirty of them voting for its repeal, and among that number several who had formerly voted for the act. That division, particula ly so far as it concerns those who changed their votes, argues that the measure was not treated as a party measure by the Whigs. On the other hand, but about half a dozen of the locos separated from the main body and voted against the repeal. How happens it, then, that the loces were so nearly unanimous, when the Whigs were seriously divided? Why did the locos outrage their own previous professions in tayor of a bankrupt law, if it included corporations, by voting against Briggs' motion to include corporations? There is but one answer which a rational man can give : it was for a factious purpose, a mere party purpose. It was in the same spirit that they opposed treasury notes, the character of a consistent tee-total temperance aid a locology admiristration. It is in the same spirit, too, we firmly believe, that the locofocos, alnost to a man, unite with Calhoun and his clique against the right of petition, against the land bill, and against the Tariff. If this is too uncharitable in the judgment of the Patriot, we will then say. the true reason for the course of the locofocus must be, that they are enemies to the rights of man, and to the prosperity of their country.

## FIRE

On Wednesday fire was discovered on the premises of O. H. Smith, Esq. of this village, whose dweiling-house and out-buildings were all connected, but by the efficient efforts of the fire department and citizens, the fire was quelled with the loss of a barn, carriage house and shed. Insured in the Vermont Munual. One good thing has resulted from this fire, viz. the settlement of a vexed question. For some three or four years, our village corporation (that includes all voters,) has been divided in opinion whether a multiplicity of small engines, without suction hose, or a few large ones, with suction and leading hose, would prove most effective. This experiment has proved, at least pretty generally to the satisfaction of those not par- Mountains. For the letter published in our last, icularly interested in either of the fire companies. that the larger engines, with an abundance of hose, are indispensable in every cast where the fire is at any considerable distance from reservoirs of notice, concluding thus: water. To use the phrases we have heard-the gun boats" do well in a skirmish and to annoy the flanks of the enemy, but it takes the "ship of war" to swamp him.

The Vermont Telegraph copies a heinous charge, made on report, against the Secretary of State, Daniel Webster-the charge of a crime which would subject him to punishir ent in the state prison; adds that it is probably true, and superadds such an allusion as will lead its readers to infer that the Governor of this State is guilty of a similar infamous offence. We do most fully claim for the press, an I particularly the religious press, the right of rebuking iniquity in high places -but when charges of this sort are made without a tolerable degree of proof the press is degraded from the position of a conservator of morality and good order to that of the common defamer and assassinator of private character. Where the Telegraph does stand, or ought to be ranked, it is not for us to say, until we know how much of its assertions can be proved. This we can say: the charge against Mr Webster has been directly denied, under oath, by Mr. W. himself, and every clerk in his department; thus entirely rebutting the charge against him, as the originator of it pretended J. N. Bradley & Co., Boston. that helf a dozen of the clerks were witnesses to the alleged offence. And as to the allusion to the Governor: it is in connection with an accusation made by some of his political enemies—which has been repeatedly denied by his friends, and to sustain which, after reiterated demands for proof, not one iota of evidence has yet been produced.

Cash-hard to keep, harder to get

TEMPERANCE.

THE LADIES OF MONTPELIER-AGAIN SUCCESSFUL.

Some years ago, as our readers know, it was through the instrumentality of the ladies that a very large proportion of the merchants of this villare, who were then dealing in liquors, abandoned the traffic. We have now the pleasure of saying, that once more have the ladies put forth their energies in the cause of temperance, and with great success, as the annexed articles will more particularly show. Let this success cheer them on to persevering efforts in this cause, and let it induce the ladies elsewhere to exercise their influence in the same direction. With the persuasive eloquence of the ladies on the one hand, and the pocket arguments afforded by the daily increasing army of Reformers, who cease buying rum and begin to buy bread-the dealers in liquors won't stand out very long.

At a meeting of the ladies of the Washington Temperance Reriety of Montpeller, Feb. 14, 1842, the following peanable and
resolutions were unanimously adopted:
Whoreas Major John Kelsey, keeper of the Union House in this
village, in answer to a memorial signed by several hundred ladies of this vicinity, requesting him to abandon the traffic in
interstanting drinks, has, in a very kind and courtestermanner,
signified to this society his determination to exclude intoxicating drinks from his but, and to consert his house into a
Temperature Las, for the outerissimment of travellers, therefore
Resolved, That we congratulate Mr. Kelsey on the determination to which he has arrived, in respect to the name of temperanner, and in acknowledging the respectful manner in which he
treated our memorial, we would assure him, that our best wishex attent him in his new enterprise, and we hope and trust the
time is not for detail when all time throughout the land shall
be kept an estrict temperance principles.

be kept on strict temperance principles.

Seculetel, That our Secretary be directed to send to Mr. Kelsey a capy of the above.

The following was also adopted:

Reserved, That the thanks of the ladies of Montpolier be rendered to Major Ira Day for the mobbe and inagmanimous principle researtly manifested by him is discontinuing the traffic in ardent spirits at his store in this village.

recently manifested by him in discontinuing the traffic in ordent spirits at his store in this village.

The Ladius of the Fillage of Mentpelier, bilenging to the Washington Total Abstractac Society.

Respectifulty—Permit one to inform you that this day I received from the hands of Mer. Pithis and threely, members of your society, a memorini, apped by several bunded whise, praying the it discontinues the sole of spirituous liquors in my tavern house. On creating attentively your memorial, I have come to a conclusion. From the justness of the prayer of the potitioners, and from a conviction of present feedings and the responsibility to Got that we are all under to relieve the wants of the afflicted in whatever circumstances they one to placed; and believing that the free use of should use a drink is the direct and immediate cuive of more suffering in the world thought and believing that the free use of should use a drink is the direct and immediate cuive of more suffering in the world. How all other cuives contained to the sound by the have of idea and man to quirrent that course which will coofer the greatest good upon the greatest to mankind, we are bound by the layer of leed and man to quirrent had course which will coofer the greatest good upon the greatest manber; and believing the Temperance came, as it is now earlied by the Washington Reformed Dronland's Society, of which you not as auxiliary, is destined to do great good by reforming the demindral and thereby relieving the wants of the poor and abstressed; and that it requires the united efforts of the poor and abstressed; and that it requires the united efforts of the poor and abstressed; and that it requires the united efforts of all well wishers in the cause of temperance to engage with them in this great and good cause — I therefore, in view of this subject, most cheerfully yield to your request, relying on the blessing of God, your influence, and upon a generous people to sustain me in my feedle efforts to present the new of alcohol as a beverage an

ing of the Recommend transacts, some in the society be tendered to Major John Kelsey, of the Union House in this village, for the make stand recently taken by him in excluding intuxiesting franks from his bouse; and while we extend the right hand of fellowship to this, as well as all other temperance houses, we would at the same time present them with the more substantial offering of our influence and patronage.

Resolved, That the foregoing resolution be signed by the President and Secretary and published.

HORACE BRUCE, Vice President.

George Ormenge, Secretary.

New Temperance Paper. The first number of The Reformed Drunkard," published in this village by McDowell and Hayden, was issued on Monday last. It appears well, and promises to be instrumental in sustaining and spreading abroad the work of temperance reform. The editorials exhibit an ardent spirit-though they go to the death against every liquor allied to that name; and hotly advocate the claims of cold water to the kind

paper, and as such receive the support of te perance men. Temperance in High Places .- Extract of a letter from Washington, dated 5th February, 1842-

regards of every body. With all these contradic-

tions, we trust nevertheless that it will maintain

to Edward C. Delevan Esq.
"At the great and splendid levee given on the occasion of his daughter's marriage, the President of the United States of America, had not a drop of wine or other alcoholic drinks furnished. Nothing but cold water was to be had-and on a wedding occasion too! What a noble step-one which will draw to him thousands of hearts, warm and fresh, and will tell on the future destinies of the

" The Boston Miscellany."-The February No. contains three engravings-two are admirable; the third (a plate of the fashions,) is for the judgment of the ladies-and three pages of music, by George J. Webb. So much for embellishments, adding, however, that the typography is of a superior style. Of the matter, it will be enough to say that among the contributors to this number are Edward Everett (Minister to Eng.,) and Alexander H. Everett, formerly of Mass., but now President of one of the South Western Colleges. The former treats of "American Sculptors in Italy," and particularly of Powers, a son of the Green relative to this famous artist, American readers are indebted to Mr. Everett, who translated it, and has accompanied the translation with an encomination

" Will not the State of Vermont assert her pe culiar interest in Powers, as the State which gave him birth? North Carolina has gained herself the highest praise by employing at great expense, the chisel of an Italian nitist, to fo Washington. If Vermont should call upon her gifted son to execute for her State House statues of the heroes of Ticonderega and Bennington, she would both do herself lasting honor, and bestow upon the country works of art which would do no discredit to the studio either of Canova or any liv-

The suggestion is good, and we hope ere long, by the munificence of the State, or of individuals, that such an opportunity will be afforded to Powers to gather for himself, and reflect upon his native State, high honor. The memory of the heroes of Ticonderoga and Bennington-or of Allen and Warner-is worthy to be perpetuated. Vermont possesses marble adapted to such a purpose; in Powers an artist fully competent; and withall, a state-house, with niches already prepared, fit to be the receptacle of the highest works of art, of any age, ancient or modern.

If Vermonters desire a monthly magazine of literature and fashion, and a mainmoth weekly (" Universal Yankee Nation,") they can have them by forwarding \$5 to Bradbury, Soden, & Co., or

Look Out! Our spunk is almost up to the point of pounding that wicked Woodstock Corporation -corporation ! aye, think of that Master Pat -- for advertising in the Patriot in preference to the Watchman. If the Patriot don't sympathize in this our affliction, it must be very hard-hearted.

Snow - from one and a half to two feet deep.